



Docket No.: 066671-0085

**PATENT**

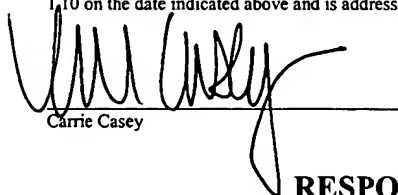
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                |   |                            |
|--------------------------------|---|----------------------------|
| In re Application of           | : | Customer Number: 41552     |
|                                | : |                            |
| Hunter, Tony, et al.           | : | Confirmation Number: 4384  |
|                                | : |                            |
| Application No.: 10/716,379    | : | Group Art Unit: Unassigned |
|                                | : |                            |
| Filed: November 17, 2003       | : | Examiner: Unassigned       |
|                                | : |                            |
| For: NIMA INTERACTING PROTEINS | : |                            |

CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 4, 2004.

  
Carrie Casey

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We are in receipt of the Notice to File Missing Parts mailed August 9, 2004, the following are provided:

1. A copy of the Notice to File Missing Parts.
2. Preliminary Amendment.
3. Paper Copy of Sequence Listing, pages 1 through 8.
4. A Copy Of The Sequence Listing In Computer Readable Form.
5. Statement Under 37 C.F.R. § 1.821(f) and (g).
6. Statutory Basic Filing Fee of \$385.00
7. Late Filing Fee Surcharge of \$65.00

Serial No. 10/716,379

8. Return Receipt Postcard.

Please charge Deposit Account No. 502624 in the amount of \$450.00. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

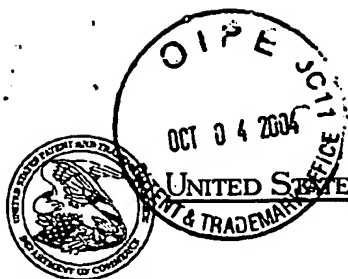
Respectfully submitted,

MCDERMOTT WILL & EMERY LLP



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**Date: October 4, 2004**



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Page 1 of 2 IPW

BOX 562

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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/716,379         | 11/17/2003             | Tony Hunter           | 66671-085              |

CONFIRMATION NO. 4384

## FORMALITIES LETTER



\*OC000000013488120\*

David A. Gay  
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4370 La Jolla Village Drive  
San Diego, CA 92122

Date Mailed: 08/09/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/08/2004 HALI11 00000001 502624 10716379

FILED UNDER 37 CFR 1.53(b)

01 FC:2001 395.00 DA  
02 FC:2051 65.00 DA

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$450** for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

Y.G.  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE